

SCHEHLMANN et al
Serial No. 10/593,487
December 19, 2008

REMARKS

Applicants hereby elect for prosecution in this application the invention defined by Group I, drawn to a composition. This election is made without prejudice to the applicants' rights under 35 USC §121 to prosecute the claims of the non-elected Groups II and/or III.

Claims 12 and 13 have been amended so as to be directed toward a composition per se which is properly examined with the invention of Group I.

Claims 14-24 are new and are of scope to which applicants are deemed entitled. Claims 14-22 are directed toward a topical composition and thus should properly be included within the elected claims of Group I. Claims 23 and 24 are each properly included within the non-elected claims of Group II but are being retained in the subject application for possible rejoinder with the elected claims upon allowance.

Thus, following entry of this amendment, claims 1-24 will be pending herein for consideration, of which claims 1-22 have been elected for prosecution. An early and favorable action on the merits of claims 1-22 is therefore awaited.

Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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